

REMARKS

This responds to the Office Action mailed on January 8, 2008.

Claims 1, 13, 19, 20, and 88 are amended, no claims are canceled, and no claims are added; as a result, claims 1-20 and 55-88 are pending in this application.

§103 Rejection of the Claims

Claims 1-3, 6-14, 16-20, 55-58, 60-68, and 70-88 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0230681 to Strassner et al. (Strassner) in view of U.S. Patent Publication No. 2004/0039943 to Cooper et al. (Cooper).

In examining claims under 35 U.S.C. § 103(a), it is necessary for the Examiner to establish a proper prima facie case of obviousness before rejecting a claim as required by the Board of Patent Appeals and Interferences (BPAI). Such a rejection cannot be made if there is no evidence or suggestion in a cited reference of a claimed configuration. Ex Parte Katoh et al., Appeal 20071460, Decided May 29, 2007. Further, it is improper to reject a claim when there is no suggestion to combine the teachings of the cited references, except from using the Applicants' invention as a template through hindsight reconstruction of the Applicants' claims. Ex Parte Crawford et al., Appeal 20062429, Decided May 30, 2007. Finally, rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. In re Kahn, 441 F.3d 977, 988 (CA Fed. 2006).

In the present case, Strassner describes an apparatus and a method for provisioning services that includes configuring one or more different devices. According to a specific embodiment, an apparatus for provisioning a service comprises an information model configured to represent a network resource of said network, to represent said service, and to represent the provisioning of said service, and a processor configured to use a subset of business rules and processes, which can be represented in the same information model, to constrain the implementation of said network resource. In accordance with another embodiment, an exemplary apparatus and method governs the manner in which a configuration of a network device is to be created, verified, approved, and deployed.

As correctly noted in the Office Action, Strassner does not disclose the claimed policy repository to verify the intermediate layer against a set of verification rules for one or more client protocols including versions thereof (Office Action at pg. 2, para. 4). Moreover, Strassner does not disclose generating a configuration data abstraction layer of a routing policy, the configuration data abstraction layer to map a routing policy configuration to an intermediate layer comprising fields, operators and arguments. Strassner describes mapping from a system-oriented representation to four implementation-oriented representations interrelated by relationships (Strassner, para. 0059). Strassner performs these mappings to provision a service using an information model configured to represent a network resource of a network. However, Strassner does not disclose or suggest the generation of a data abstraction layer of a routing policy as currently claimed. Further, Strassner does not disclose or suggest the mapping of a routing policy configuration to an intermediate layer comprising fields, operators and arguments. The various levels of abstraction described in Strassner and shown in Figure 3 of Strassner do not include a routing policy abstraction. Further, Strassner does not describe verifying the intermediate layer against a set of verification rules for one or more client protocols including versions thereof, or generating compiled policy transmission language for use by the one or more client protocols including versions thereof.

Cooper describes a method and apparatus for generating an initial policy specification file. A level of abstraction over a policy language is used, simplifying creating the file based on gross character characteristics of a network at the IP level, such as policy domains, communities of hosts, subnets, and firewalls. However, Cooper does not disclose generating a configuration data abstraction layer of a routing policy, the configuration data abstraction layer to map a routing policy configuration to an intermediate layer comprising fields, operators and arguments. The abstractions described in Cooper do not include a routing policy abstraction as currently claimed.

Cooper describes a system that takes as input a policy file that has been generated using a policy generator wizard or other means, and a file containing network packet dump data that has been collected from an observed network by a packet capture, or that has been processed by a protocol monitor processor (Cooper, para. 0089). Cooper also describes a policy monitoring component 100 that includes a database 104 for storing synthesized information of the packet

dump's 115 conformance to the specified policy performed by the policy engine 102 (Cooper, para. 0090). Thus, Cooper describes a system that compares network packet dump data with a specified policy to determine conformance. However, Cooper does not disclose or suggest verifying an intermediate layer against a set of verification rules for one or more client protocols including versions thereof, or generating compiled policy transmission language for use by the one or more client protocols including versions thereof. In other words, Cooper is checking observed network dump data against a specified policy. Cooper is not verifying an intermediate layer against a set of verification rules for one or more client protocols that is not based on observed network data.

Claims 1-20 include the elements distinguished above with respect to Strassner and Cooper. Specifically, these non-obvious elements are recited in independent claims 1, 13, 19, and 20 as amended herein. With respect to Claims 55-88, Strassner and Cooper do not teach or suggest the combination of elements recited therein. In particular, Strassner and Cooper do not teach or suggest generating libraries for attach points associated with one or more versions of one or more client protocols. As argued above, Strassner is related to provisioning services and not related to generating libraries for attach points associated with one or more versions of one or more client protocols. Similarly, as argued above, Cooper does not check statements of a routing policy against the capabilities of one or more of the attach points. Cooper checks observed network dump data against a specified policy. It would not have been obvious to one of ordinary skill in the art to combine these references in the manner suggested in the Office Action. Claims 55-88 include one or more of these non-obvious elements distinguished herein with respect to Strassner and Cooper. Specifically, these non-obvious elements are recited in independent claims 55, 65, 73, 74, 75, 81, 87, and 88 as presented herein.

Thus, Strassner or Cooper, alone or in combination, do not render obvious claims 1-20 and 55-88 as currently presented.

Therefore, for the reasons set forth above, Applicants respectfully request withdrawal of the § 103 rejections and respectfully request allowance of the pending claims.

CONCLUSION


Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 408-406-4855 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
408-406-4855

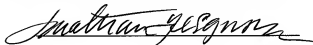
Date May 8, 2008

By 
James H. Salter
Reg. No. 35,668

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8th day of 2008.

JONATHAN FERGUSON

Name



Signature